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NORTHERN DISTRICT OF CALIFORNIA

IN RE NATIONAL SECURITY AGENCY TELECOMMUNICATIONS RECORDS LITIGATION This Document Relates To: *Al-Haramain Islamic Foundation, Inc. et al. v. Bush, et al.*, 07-109	**MDL 06-1791 VRW; 07-109 VRW** **DECLARATION OF ANDREW H. TANNENBAUM IN SUPPORT OF DEFENDANTS' ADMINISTRATIVE MOTION FOR AN INTERIM STAY OF BRIEFING PENDING THE COURT OF APPEALS' CONSIDERATION OF DEFENDANTS' STAY MOTION** Hon. Vaughn R. Walker

I, ANDREW H. TANNENBAUM, do hereby state and declare as follows:

1. I am a Trial Attorney with the United States Department of Justice, Civil Division, Federal Programs Branch, and one of the counsel of record for the United States in this action. I make this declaration pursuant to Civil Local Rule 7-11 in support of Defendants' Administration Motion for an Interim Stay of Briefing Pending the Court of Appeals' Consideration of Defendants' Stay Motion. The statements made herein are based on my personal knowledge and information provided to me in the course of my official duties.

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2. On March 26, 2007, counsel for Defendants (including myself and Anthony Coppolino) spoke and conferred with Steven Goldberg and Jon Eisenberg, counsel for Plaintiffs in this action. We explained our intention to file an administrative motion for an interim stay of briefing pending the Ninth Circuit's consideration of a motion to stay further proceedings in this case pending appeal. Mr. Goldberg and Mr. Eisenberg both indicated that Plaintiffs would not consent to the relief requested in the motion.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: March 26, 2007

s/ Andrew H. Tannenbaum

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